IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

SATURDAY, THE 18TH AUGUST 2007 / 27TH SRAVANA 1929

WP(C).No. 25107 of 2007(L)

PETITIONER:

N.BHASKARAN, S/O.KUMARAN,
NORAMBATT HOUSE, CHERUKAD P.O., KOZHIKODE.

BY ADV. SRI.SANTHARAM.P

RESPONDENTS:

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1. **ASSISTANT GENERAL MANAGER,**
   AUTHORISED OFFICER, ALLAHABAD BANK,
   ZONAL OFFICE, BANGALORE.

2. **BRANCH MANAGER, ALLAHABAD BANK,**
   CALICUT BRANCH.

3. **E.P.VIJAYAN, KATTIL PEEDIKA PARAMBA,**
   ERANGADA PALLI, CHEVAYOOR P.O.,
   CALICUT.

BY ADV. SRI. P.JACOB VARGHESE, SC for R1 & R2

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B. RADHAKRISHNAN, J.

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WP(C).No. 25107 of 2007-L

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Dated this the 18th day of August, 2007.

JUDGMENT

Having heard the learned counsel for the petitioner, I do not find that the petitioner is entitled to any relief other than a breathing time to pay off the amounts under Ext.P4. Under such circumstances, if the petitioner remits an amount of Rs.4 lakhs on or before the 10th of September, 2007 and the remaining amount under demand on or before the 5th October, 2007, the distress action would be dropped. If there is default in remitting any of the instalments as aforesaid, the benefit of this judgment shall stand recalled automatically and the respondents will be at liberty to proceed with the impugned sale without any

further notice and from the stage at which the proceedings now rests.

The writ petition is disposed of as above.

THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

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